

CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

JUDGE ADAMS

1. Capri S. Cafaro was a candidate in the 2004 general federal election for Ohio's 14<sup>th</sup> U.S. Congressional District.
2. "Capri Cafaro for Congress Committee" was the principal campaign committee of Capri Cafaro's election campaign and solicited and accepted contributions on her behalf.

**The Federal Election Commission and Regulation of Federal Elections**

3. The Federal Election Commission (FEC) was an agency of the executive branch of the government of the United States that administered and enforced the Federal Election Campaign Act (FECA).

4. Specific FECA provisions governed the making and reporting of campaign contributions, including:

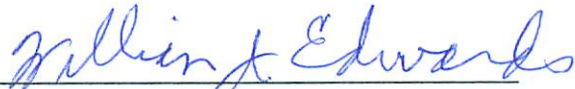
- (a) The maximum individual contribution allowed by law to federal candidates or their authorized political committees was \$2,000 for the general election and \$2,000 for the primary election;
- (b) Contributions included expenditures in cooperation, consultation, or concert with, or at the request or suggestion of the campaign;
- (c) Capri Cafaro for Congress Committee was required to file quarterly reports with the FEC identifying each person who made a contribution during the reporting period whose contribution or contributions for that calendar year aggregated over \$200; and
- (d) The FEC was responsible for providing accurate information to the public about the amounts and sources of campaign contributions, and it used these quarterly reports to administer and enforce the FECA.

5. Defendant, JOHN J. CAFARO, was subject to the \$2,000 limitation on contributions for individuals to the Capri Cafaro for Congress Committee for the general election.

STATUTORY ALLEGATION

6. From on or about May 5, 2004, to on or about July 15, 2004, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant JOHN J. CAFARO, in a matter within the jurisdiction of the executive branch of the Government of the United States, knowingly and willfully caused to be falsified, concealed, and covered up by trick, scheme, and device material facts and caused to be made a materially false, fictitious, and fraudulent statement and representation, in that he caused the responsible official of the Capri Cafaro for Congress Committee to file with the FEC a quarterly report that falsely stated that he had contributed only \$2,000 to the general election campaign, when in fact, as JOHN J. CAFARO then well knew, JOHN J. CAFARO actually contributed an additional \$10,000 in the form of a loan to a campaign staffer for the benefit of the general election campaign.

All in violation of Title 18, United States Code, Sections 1001 and 2.



WILLIAM J. EDWARDS  
ATTORNEY FOR THE UNITED STATES  
ACTING UNDER AUTHORITY CONFERRED  
BY 28 U.S.C. § 515